

Serial No. 09/914,279

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REMARKS:

Status of the Claims

1-6, 8-12, 14-50 and 55-70 are pending herein, claim 7 having been cancelled hereinabove, and claims 13 and 51-54 having been cancelled previously, without prejudice or disclaimer. Claims 27-33 and 50 are withdrawn from consideration.

Support for the above claim amendment can be found, for example, in original claim 7 and throughout the specification.

Election of Species

Election between the following species is required under 35 USC 121:

Species A, liposomes¹.

Species B, microparticles.

Applicant hereby elects species A for further prosecution on the merits to which the claims shall be restricted if no generic claim is finally held allowable. An examination of the claims indicates that all presently pending claims are directed to compositions that comprise microdroplets including (a) microemulsion claims 1-6, 8-12, 14-26, 55-68, and 70 and (b) composition claims 34-49 and 69 (which compositions further comprise microparticles in addition to microdroplets).

CONCLUSION

It is respectfully submitted that all claims are presently in condition for allowance. Should the Examiner be of the view that an interview would expedite consideration of the application, request is made that the Examiner telephone the Applicants' attorney at (703) 433-0510 in order that any outstanding issues be resolved.

¹ The term "liposome," is not found in the specification or claims, and refers to a spherical particle in which an enclosed aqueous medium is separated from an outer aqueous medium by a lipid bilayer. In a telephone call between the undersigned and Examiner Azpuru on August 25, 2006, it was confirmed that by "liposome," Examiner Azpuru had meant oil-based microdroplets such as those of claim 1.

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Respectfully submitted,



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I hereby certify that this document and any document
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